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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/831,783	05/14/2001	Kristen Lynne McKenzie	7341	9667

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EXAMINER

COLE, LAURA C

ART UNIT	PAPER NUMBER
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1744

DATE MAILED: 05/29/2003

7

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 09/831,783	<b>Applicant(s)</b> MCKENZIE ET AL.	
	<b>Examiner</b> Laura C Cole	<b>Art Unit</b> 1744	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 19 February 2003.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 33-60 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 33-60 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 14 May 2001 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.  
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☒ None of:  
1. ☒ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  
\* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☒ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).  
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                                    | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____  |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                           | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) <u>3,4,5</u> | 6) <input checked="" type="checkbox"/> Other: <i>Exhibit A</i>              |

## DETAILED ACTION

### *Priority*

1. It is noted that this application appears to claim subject matter disclosed in prior Application No. 60/108,629, filed 16 November 1998. A reference to the prior application must be inserted as the first sentence of the specification of this application or in an application data sheet (37 CFR 1.76), if applicant intends to rely on the filing date of the prior application under 35 U.S.C. 119(e) or 120. See 37 CFR 1.78(a). For benefit claims under 35 U.S.C. 120, the reference must include the relationship (i.e., continuation, divisional, or continuation-in-part) of all nonprovisional applications. Also, the current status of all nonprovisional parent applications referenced should be included.

If the application is a utility or plant application filed under 35 U.S.C. 111(a) on or after November 29, 2000, the specific reference to the prior application must be submitted during the pendency of the application and within the later of four months from the actual filing date of the application or sixteen months from the filing date of the prior application. If the application is a utility or plant application which entered the national stage from an international application filed on or after November 29, 2000, after compliance with 35 U.S.C. 371, the specific reference must be submitted during the pendency of the application and within the later of four months from the date on which the national stage commenced under 35 U.S.C. 371(b) or (f) or sixteen months from the filing date of the prior application. See 37 CFR 1.78(a)(2)(ii) and (a)(5)(ii). This time period is not extendable and a failure to submit the reference required by 35 U.S.C.

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119(e) and/or 120, where applicable, within this time period is considered a waiver of any benefit of such prior application(s) under 35 U.S.C. 119(e), 120, 121 and 365(c). A priority claim filed after the required time period may be accepted if it is accompanied by a grantable petition to accept an unintentionally delayed claim for priority under 35 U.S.C. 119(e), 120, 121 and 365(c). The petition must be accompanied by (1) the reference required by 35 U.S.C. 120 or 119(e) and 37 CFR 1.78(a)(2) or (a)(5) to the prior application (unless previously submitted), (2) a surcharge under 37 CFR 1.17(t), and (3) a statement that the entire delay between the date the claim was due under 37 CFR 1.78(a)(2) or (a)(5) and the date the claim was filed was unintentional. The Commissioner may require additional information where there is a question whether the delay was unintentional. The petition should be directed to the Office of Petitions, Box DAC, Assistant Commissioner for Patents, Washington, DC 20231.

### ***Information Disclosure Statement***

2. The reference crossed through on the Information Disclosure Statement of 02 July 2001 did not include a copy, however this reference was also provided in the Information Disclosure Statement of 21 January 2003, so no copy is needed.

The references crossed through on the Information Disclosure Statement of 21 January 2003 were duplicates of references listed on the Information Disclosure Statement of 02 July 2001.

### ***Drawings***

3. The drawings are objected to because they are not specifically made of reference in the specification and that they are not numbered leaving the figures

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unsupported. A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

4. The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the "retaining means" (Claims 59-60) must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

#### ***Specification***

5. Applicant is reminded of the proper language and format for an abstract of the disclosure.

The abstract should be in narrative form and generally limited to a single paragraph on a separate sheet within the range of 50 to 150 words. It is important that the abstract not exceed 150 words in length since the space provided for the abstract on the computer tape used by the printer is limited. The form and legal phraseology often used in patent claims, such as "means" and "said," should be avoided. The abstract should describe the disclosure sufficiently to assist readers in deciding whether there is a need for consulting the full patent text for details.

The language should be clear and concise and should not repeat information given in the title. It should avoid using phrases which can be implied, such as, "The disclosure concerns," "The disclosure defined by this invention," "The disclosure describes," etc.

The abstract of the disclosure is objected to because the length is not sufficient as it is under 50 words. Correction is required. See MPEP § 608.01(b).

***Claim Rejections - 35 USC § 112***

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

6. Claims 53, 54, 57, and 58 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Each of these claims recite in Line 1 a product comprising "instructions for using" which is unclear as these claims are dependent on an apparatus claim.

7. Claims 59-60 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 59, Line 2 recites, "a retaining means for removably retaining tableware." It is unclear what is meant by "retaining *means*." Are the means attached to or separate from the cleaning device?

***Claim Objections***

8. Claims 33-60 are objected to because of the following informalities: Throughout the application, specifically shown in claim 59 Line 2, the word "gripping" has been used. Does applicant intend "gripping"? Appropriate correction is required.

***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

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(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

9. Claims 59-60 are rejected under 35 U.S.C. 102(b) as being anticipated by FR 1 102 562 (herein referred to as '562).

'562 displays an ultrasonic cleaning device comprising a housing, gripping means, retaining means for removably retaining tableware, a transducer means mounted in housing for oscillating at an ultrasonic frequency, and power supply means for supplying current to the transducer, and that the housing can be at least partially immersed in an aqueous environment (See English Explanation provided in the IDS of 23 January 2003, Figures 1 and 2 the housing is represented at (3), a retaining means for retaining the tableware (tableware shown as (6)), a transducer means (wherein a transducer is defined as "a device that converts input energy of one form to an output energy of a different form" (The American Heritage® Dictionary of the English Language, Fourth Edition, Copyright © 2000 by Houghton Mifflin Company)) is mentioned as the vibrator relies upon or is *interdependent* of the electromagnetic body (see Exhibit A which is a translation of Column 2 Lines 16-18) so therefore the energy must be converted or transduced, a power supply means (electromagnetically), and that the housing can be immersed in an aqueous environment (as shown in Figures 1-2.)

***Claim Rejections - 35 USC § 103***

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The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

10. Claims 33-35, 36, 38-39, 41-51, and 55 are rejected under 35 U.S.C. 102(b) as anticipated by or, in the alternative, under 35 U.S.C. 103(a) as obvious over Sawyer, USPN 3,357,033.

Sawyer discloses a sonic surface cleaner that comprises a housing (Figures 1-3), a gripping means (Figure 1 (12)), a cleaning head (Figures 1-3 (30)) that is adapted to be removably mounted to the housing (Column 2 Lines 52-57), a transducer means mounted in the housing for oscillating (Column 4 Lines 17-22 disclose that the energy generated is "transformed" into sound waves and releases that energy at the surface as sonic Column 4 Lines 22-36), and a power supply means (from wires (55) and (56) that lead to a cap (60), Column 3 Lines 10-18, and by Figure 1 appear to connect to a cord



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that would go to an outlet.) The gripping means is at a proximal end while the cleaning head is at a distal end (Figure 1). The device further comprises at least one solution storage means (Figure 1 (72) that contains a cleaning composition for cleaning, and a dispensing means (Figure 1 (71)) mounted in the housing for supplying the cleaning composition (Column 3 Lines 22-32). The cleaning head may be a sponge (Figure 3) so that the cleaning liquid is supplied to a surface that is coterminous (Figure 2) with the head in that the absorbent sponge portions disperse the liquid. The "second" housing is the housing labeled (11) in Figures 1-3 wherein the "first" housing is the liquid supply (Figure 1 (72)). Sawyer also discloses a method for removing soil from a hard surface that contacts the soil with a liquid and cleaning head and imparting ultrasonic energy to it (Column 4 Line 73 to Column 5 Line 18 states that a cleaning composition or detergent is put into contact with a soil, then loosening the soil, and then rinsing the amount with water.) Sawyer does not disclose having a cleaning head surface area greater than  $6.25 \text{ cm}^2$  or having a power output of at least  $0.02 \text{ watts/cm}^3$ .

It would have been obvious to one of ordinary skill in the art to construct a cleaning head for a sonic surface cleaner that is used for a floor to have a cleaning head surface area greater than  $6.25 \text{ cm}^2$  or having a power output of at least  $0.02 \text{ watts/cm}^3$  because it would be desirable to have a larger cleaning surface area to reduce the time it takes to clean an area, to reduce the human effort in cleaning a large surface, and because it is most efficient for cleaning a large area.

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11. Claims 33-37, 39, 42-49, 51, 52, 55, and 56 are rejected under 35 U.S.C. 102(e) as anticipated by or, in the alternative, under 35 U.S.C. 103(a) as obvious over Hoffman, USPN 5,890,249.

Hoffman discloses a multi-purpose vibration cleaning device that comprises a housing (Figures 1-5), a gripping means (Figure 1 (12)), a cleaning head (Figures 1-3 (26) or (24)) that is adapted to be removably mounted to the housing (Column 2 Lines 56-57), a transducer means mounted in the housing for oscillating (Column 2 Lines 9-11 disclose that the power supply is connected to the vibration generator, and through that the type of energy must be converted or "transduced" from the battery to the output vibrations), and a power supply means which is mounted in the housing (Figure 1 (17)). The gripping means is at a proximal end while the cleaning head is at a distal end (Figure 1). The device further comprises a solution storage means for containing a cleaning composition and a dispensing means (Column 2 Lines 56-63.) The cleaning composition is lye (Column 2 Line 59) wherein lye is a process aid, antibacterial agent, a surfacant, "perfume", anti-microbial agent, etc. The cleaning head may take the form of a brush, cloth, or towel (Column 2 Lines 45-55, Column 3 Lines 10-19) and can be at least partially immersed in an aqueous environment (Column 2 Lines 12-13). The "second" housing is the housing mentioned above wherein the "first" housing is the housing for the removable cleaning head. Hoffman does not disclose having a cleaning head surface area greater than 6.25 cm<sup>2</sup>.

It would have been obvious to one of ordinary skill in the art to construct a cleaning head for a sonic surface cleaner that is used for a cleaning an oven, polishing

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furniture, cleaning a bathroom (Column 3 Lines 19-29) to have a cleaning head surface area greater than  $6.25 \text{ cm}^2$  because it would be desirable to have a larger cleaning surface area to reduce the time it takes to clean an area, to reduce the human effort in cleaning a large surface, and because it is most efficient for cleaning a large area.

12. Claims 33-35, 39, and 40 are rejected under 35 U.S.C. 102(b) as anticipated by or, in the alternative, under 35 U.S.C. 103(a) as obvious over Sharp, USPN 5,297,512.

Sharp discloses a vibrating and ultrasonic sound emitting grooming device that comprises a housing (Figure 1), a gripping means (Figure 1 (19)), a cleaning head (Figure 1) that is adapted to be removably mounted to the housing (Column 2 Lines 35-41), a transducer means mounted in the housing for oscillating (Figure 1 (40)), and a power supply means which is mounted in the housing (Figure 1 (46)). The gripping means is at a proximal end while the cleaning head is at a distal end (Figure 1). The cleaning head is in the form of bristles (Figure 1 (28)). The transducer means has a frequency of 30 KHz (Column 3 Line 9). Sharp does not disclose having a cleaning head surface area greater than  $6.25 \text{ cm}^2$ .

It would have been obvious to one of ordinary skill in the art to construct a cleaning head for a sonic surface cleaner that is used for cleaning a pet's coat to have a cleaning head surface area greater than  $6.25 \text{ cm}^2$  because it would be desirable to have a larger cleaning surface area to reduce the time it takes to clean an area, to reduce the human effort in cleaning a large surface, and because it is most efficient for cleaning a large area.

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13. Claims 33-35, and 39 are rejected under 35 U.S.C. 102(b) as anticipated by or, in the alternative, under 35 U.S.C. 103(a) as obvious over Bodine, USPN 3,342,076.

Bodine discloses a vibrating and ultrasonic sound emitting grooming device that comprises a housing (Figure 1 (1)), a gripping means (Figure 1), a cleaning head (Figure 1 (4)) that is adapted to be removably mounted to the housing (Column 4 Lines 67-73 disclose a number of embodiments and Column 5 Lines 3-6 call the brush or cleaning head to be an "attachment"), a transducer means mounted in the housing for oscillating (Column 5 Lines 15-30 disclose that the sonic wave generator can be driven from an electric or hydraulic motor, so energy must be "transduced" to create sonic energy), and a power supply means which is mounted in the housing (as mentioned before, it can require an electric motor which requires a power supply to function). The gripping means is at a proximal end while the cleaning head is at a distal end (Figure 1). The cleaning head is in the form of bristles (Figure 1 (4)). Bodine does not disclose having a cleaning head surface area greater than  $6.25 \text{ cm}^2$ .

It would have been obvious to one of ordinary skill in the art to construct a cleaning head for a sonic surface cleaner that is used for a cleaning to have a cleaning head surface area greater than  $6.25 \text{ cm}^2$  because it would be desirable to have a larger cleaning surface area to reduce the time it takes to clean an area, to reduce the human effort in cleaning a large surface, and because it is most efficient for cleaning a large area.

14. Claims 33-35, 39, 42-44, 47, 49, 51, and 55 are rejected under 35 U.S.C. 103(a) as being unpatentable over Center, USPN 5,311,632.

Center discloses an ultrasonic plaque removal device that comprises a housing (Figure 1 (22)), a gripping means (Figure 1 (12)), a cleaning head (Figure 2 (26)) that is adapted to be removably mounted to the housing (Figure 2; Column 3 Lines 57-60), a transducer means mounted in the housing for oscillating (Figure 2 (48); Column 3 Lines 61-67), and a power supply means which is mounted in the housing (Figure 2 (20)). The gripping means is at a proximal end while the cleaning head is at a distal end (Figures 1-3). The cleaning head is in the form of bristles (Figure 2 (26)). The device is adapted to function while partially immersed in an aqueous environment (Column 4 Lines 3-15). There is first and second housings, with the second housing comprises a transducer (Figure 2, the portion on the left split from (18)) and the first portion (Figure 2 (18)) that contains the power supply means. The device is used in a method that contacts a soil with a cleaning composition and then contacting the soil with the cleaning head of the device by imparting ultrasonic energy (Column 4 Lines 3-7). The cleaning composition that is disclosed is a plaque softener or tooth polishing liquid or gel (Column 4 Lines 3-7.) Center does not disclose having a cleaning head surface area greater than  $6.25 \text{ cm}^2$ .

It would have been obvious to one of ordinary skill in the art to have a cleaning head surface area greater than  $6.25 \text{ cm}^2$ . Applicant has not disclosed that having a cleaning head surface area greater than  $6.25 \text{ cm}^2$  provides an advantage, is used for a particular purpose, or solves a stated problem. One of ordinary skill in the art, furthermore, would have expected Applicant's invention to perform equally well with cleaning soiled food off of a surface since it cleans soiled food from teeth.

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15. Claims 33-35, 39, and 42-45 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bock, USPN 5,369,831 (herein '831).

'831 discloses a therapeutic ultrasonic toothbrush that comprises a housing (Figure 1), a gripping means (Figure 1 (22)), a cleaning head (Figures 1-3 (32)) that is adapted to be removably mounted to the housing (Figure 2; Column 3 Line 6), a transducer means mounted in the housing for oscillating (Figure 1 (28); Column 3 Lines 10-18), and a power supply means which is mounted in the housing (Figure 1 (24)). The gripping means is at a proximal end while the cleaning head is at a distal end (Figures 1-3). The cleaning head is in the form of bristles (Figures 1-3 (34)). The device is adapted to function while at least partially immersed in an aqueous environment since it is in the form of a toothbrush and is used in the oral cavity (Column 5 Lines 59-64). There is a first and second housings, with the transducer means in the second housing, the second housing being more towards the distal end, and the power supply means in its own housing towards the proximal end. '831 does not disclose having a cleaning head surface area greater than  $6.25 \text{ cm}^2$ .

It would have been obvious to one of ordinary skill in the art to have a cleaning head surface area greater than  $6.25 \text{ cm}^2$ . Applicant has not disclosed that having a cleaning head surface area greater than  $6.25 \text{ cm}^2$  provides an advantage, is used for a particular purpose, or solves a stated problem. One of ordinary skill in the art, furthermore, would have expected Applicant's invention to perform equally well with cleaning soiled food off of a surface since it cleans soiled food from teeth.

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16. Claims 33-35, 39, and 42-45 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bock, USPN 5,546,624 (herein '624).

'624 discloses a therapeutic ultrasonic toothbrush that comprises a housing (Figure 1), a gripping means (Figure 1 (22)), a cleaning head (Figures 1-3 (32)) that is adapted to be removably mounted to the housing (Figure 2; Column 3 Line 6), a transducer means mounted in the housing for oscillating (Figure 1 (28); Column 3 Lines 10-18), and a power supply means which is mounted in the housing (Figure 1 (24)). The gripping means is at a proximal end while the cleaning head is at a distal end (Figures 1-3). The cleaning head is in the form of bristles (Figures 1-3 (34)). The device is adapted to function while at least partially immersed in an aqueous environment since it is in the form of a toothbrush and is used in the oral cavity (Column 5 Lines 59-64). There is a first and second housings, with the transducer means in the second housing, the second housing being more towards the distal end, and the power supply means in its own housing towards the proximal end. '624 does not disclose having a cleaning head surface area greater than  $6.25 \text{ cm}^2$ .

It would have been obvious to one of ordinary skill in the art to have a cleaning head surface area greater than  $6.25 \text{ cm}^2$ . Applicant has not disclosed that having a cleaning head surface area greater than  $6.25 \text{ cm}^2$  provides an advantage, is used for a particular purpose, or solves a stated problem. One of ordinary skill in the art, furthermore, would have expected Applicant's invention to perform equally well with cleaning soiled food off of a surface since it cleans soiled food from teeth.

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17. Claims 53, 54, 57, and 58 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sawyer, USPN 3,357,033.

Sawyer discloses all elements regarding the device as stated above however does not disclose instructions for using the product.

It would have been obvious for one of ordinary skill in the art to provide operating instructions as it well known in marketing and business to provide instructions for use of a product to protect the buyer and user.

18. Claims 53, 54, 57, and 58 are rejected under 35 U.S.C. 103(a) as being unpatentable over Center, USPN 5,311,632.

Center discloses all elements regarding the device as stated above however does not disclose instructions for using the product.

It would have been obvious for one of ordinary skill in the art to provide operating instructions as it well known in marketing and business to provide instructions for use of a product to protect the buyer and user.

### ***Conclusion***

19. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Laura C Cole whose telephone number is (703) 305-7279. The examiner can normally be reached on Monday-Thursday, 7am - 4:30pm, alternating Fridays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert Warden can be reached on (703) 308-2920. The fax phone numbers for the organization where this application or proceeding is assigned are (703)



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746-8772 for regular communications and (703) 873-9311 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0661.

*LCC*

LCC  
May 27, 2003

*Robert J. Warden, Sr.*

ROBERT J. WARDEN, SR.  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 1700